



The Journal OF THE *House of Representatives*

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Messages from the Senate

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 102, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Appropriations; and Transportation; and Senators Diaz de la Portilla, Garcia, and Evers—

CS for CS for SB 102—A bill to be entitled An act relating to drivers leaving the scene of a crash; creating the “Aaron Cohen Life Protection Act”; amending s. 316.027, F.S.; redefining the term “serious bodily injury” and defining the term “vulnerable road user”; requiring the driver of a vehicle involved in a crash that results in serious bodily injury to a person to immediately stop the vehicle and remain at the scene of the crash; providing that a person commits a felony of the second degree if he or she fails to stop the vehicle and remain at the scene of the crash until specified requirements are fulfilled; requiring the court to impose a mandatory minimum term of imprisonment under certain circumstances; requiring the revocation of the driver’s driver license; requiring the driver to participate in specified programs; providing for ranking of an offense committed if the victim of the offense was a vulnerable road user; authorizing the defendant to move to depart from the mandatory minimum term of imprisonment under certain circumstances; providing requirements and procedures for such departure; amending s. 322.0261, F.S.; requiring the Department of Highway Safety and Motor Vehicles to include in the curriculum of a certain driver improvement course instruction addressing the rights of vulnerable road users; amending s. 322.28, F.S.; requiring the court to revoke for at least 3 years the driver license of a person convicted of leaving the scene of a crash involving injury, serious bodily injury, or death; reenacting and amending s. 322.34(6), F.S., relating to driving while a driver license is suspended, revoked, canceled, or disqualified, to incorporate the amendment to s. 322.28, F.S., in a reference thereto; amending s. 921.0022, F.S.; revising the offense severity ranking chart; conforming a cross-reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 224, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Appropriations; and Regulated Industries; and Senators Benacquisto, Latvala, Sobel, Flores, Gibson, Bradley, Dean, and Braynon—

CS for CS for SB 224—A bill to be entitled An act relating to nicotine dispensing devices; amending s. 569.002, F.S.; providing a definition; amending s. 569.0075, F.S.; prohibiting the gift of sample nicotine dispensing devices to persons under 18 years of age; amending s. 569.101, F.S.; prohibiting the selling, delivering, bartering, furnishing, or giving of nicotine dispensing devices to persons under 18 years of age, to which penalties apply; amending s. 569.11, F.S.; prohibiting persons under 18 years of age from possessing, purchasing, or misrepresenting their age or military service to purchase nicotine dispensing devices; providing civil penalties; amending s. 569.14, F.S.; requiring certain signage where a dealer sells nicotine dispensing devices; amending s. 569.19, F.S.; requiring the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to submit the number of violations for selling nicotine dispensing devices in its annual report; reenacting and amending s. 322.056(2) and (3), F.S., relating to mandatory driver license revocation or suspension for persons younger than 18 years of age who commit certain offenses, to incorporate the amendments to s. 569.11, F.S., in a reference thereto; making editorial changes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 238, by the required Constitutional two-thirds vote of all members present and voting, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Governmental Oversight and Accountability; and Criminal Justice; and Senator Joyner—

CS for CS for SB 238—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public records requirements for the names of the spouses and children of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; providing for future review and repeal of the exemption; providing a statement of necessity; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 260, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committee on Judiciary; and Senator Latvala—

CS for SB 260—A bill to be entitled An act relating to unaccompanied homeless youths; amending s. 743.067, F.S.; defining the term “unaccompanied homeless youth”; providing for a certification; authorizing certain unaccompanied homeless youths to consent to medical, dental, psychological, substance abuse, and surgical diagnosis and treatment, and forensic medical examinations for themselves and for their children in certain circumstances; providing that such consent does not affect the requirements of the Parental Notice of Abortion Act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for SB 670, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Judiciary; and Health Policy; and Senator Thrasher—

CS for CS for SB 670—A bill to be entitled An act relating to nursing home litigation; amending s. 400.023, F.S.; specifying that a cause of action for negligence or violation of residents’ rights alleging direct or vicarious liability for the injury or death of a nursing home resident may be brought against a licensee, its management or consulting company, its managing employees, and any direct caregiver employees or contractors; providing that a cause of action may not be asserted against other individuals or entities except under certain circumstances; revising related judicial procedures; defining terms; amending s. 400.0237, F.S.; providing that a claim for punitive damages may not be brought unless there is a showing of evidence that provides a reasonable basis for recovery of such damages when certain criteria are applied; requiring the court to conduct a hearing to determine whether there is sufficient evidence to demonstrate that the recovery of punitive damages is warranted; requiring the trier of fact to find that a specific person or corporate defendant participated in or engaged in conduct that constituted gross negligence and contributed to the damages or injury suffered by the claimant before a defendant may be held liable for punitive damages; requiring an officer, director, or manager of the employer, corporation, or legal entity to condone, ratify, or consent to specified conduct before holding such person or entity vicariously liable for punitive damages; creating s. 400.024, F.S.; authorizing the Agency for Health Care Administration to revoke the license or deny a license renewal or change of ownership application of a nursing home facility that fails to pay a judgment or settlement agreement; providing for notification to the agency of such failure and for agency notification to the licensee of disciplinary action; providing licensee grounds for overcoming failure to pay; authorizing the agency to issue an emergency order and notice of intent to revoke or deny a license; authorizing the agency to deny a license renewal and requiring the agency to deny a change of ownership; amending s. 400.145, F.S.; revising procedures for obtaining the records of a resident; specifying which records may be obtained and who may obtain them; providing immunity from liability to a facility that provides such records in good faith; providing that the agency may not cite a facility that does not meet these records requirements; providing applicability; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

First Reading of Committee and Subcommittee Substitutes by Publication

By the Regulatory Affairs Committee; Government Operations Appropriations Subcommittee; and Business & Professional Regulation Subcommittee; Representatives **Eagle, Ahern, Goodson, Rooney, and Van Zant**—

CS/CS/CS/HB 593—A bill to be entitled An act relating to building construction; amending s. 162.12, F.S.; revising the method for local governments to provide notices to alleged code enforcement violators; amending s. 373.323, F.S.; revising requirements for taking the water well contractor licensure examination; amending s. 440.103, F.S.; authorizing the use of electronic certificates of exemption, site plans, and building permits; requiring plans and permits to be open to inspection; amending s. 514.03, F.S.; requiring application for an operating permit before filing an application for a building permit for a public swimming pool; amending s. 514.031, F.S.; providing additional requirements for obtaining a public swimming pool operating permit; amending s. 553.37, F.S.; specifying inspection criteria for construction or modification of manufactured buildings or modules; amending s. 553.721, F.S.; removing obsolete language; amending s. 553.73, F.S.; revising the circumstances under which existing mechanical equipment is subject to certain provisions of the Florida Building Code; amending s. 553.775, F.S.; authorizing building officials, local enforcement agencies, and the Florida Building Commission to interpret the Florida Accessibility Code for Building Construction; specifying procedures for such interpretations; deleting provisions relating to declaratory statements and interpretations of the Florida Accessibility Code for Building Construction, to conform; amending s. 553.79, F.S.; prohibiting a local enforcing agency from issuing a building permit for a public swimming pool without proof of application for an operating permit; requiring issuance of an operating permit before a certificate of completion or occupancy is issued; authorizing use of electronic building permit plans for building code inspection and record retention; amending s. 553.841, F.S.; revising education and training requirements of the Florida Building Code Compliance and Mitigation Program; creating s. 553.883, F.S.; authorizing use of a smoke alarms powered by a specified type of battery in certain circumstances; requiring use of such alarms by a certain date; amending s. 553.993, F.S.; revising the definition of the term “building energy-efficiency rating system” to require consistency with certain national standards for new construction and existing construction; providing for oversight; amending s. 633.212, F.S.; deleting a requirement that a member of the Fire Code Interpretation Committee notify the committee of an inability to respond before the alternate member may respond; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Human Services Committee; Health Care Appropriations Subcommittee; and Health Innovation Subcommittee; Representatives **Brodeur, Steube, Cummings, and Pigman**—

CS/CS/HB 7113—A bill to be entitled An act relating to health care; amending s. 395.1051, F.S.; requiring a hospital to notify obstetrical physicians before the hospital closes its obstetrical department or ceases to provide obstetrical services; providing legislative findings; permitting a hospital that has operated as a Level I, Level II, or pediatric trauma center for a specified period to continue operating at that trauma center level under certain conditions, notwithstanding any other provision of law; making a hospital that complies with such requirements eligible for renewal of its 7-year approval period under s. 395.4025(6), F.S.; requiring a hospital that obtains a trauma center consultation report after the site visit to provide the report to the Department of Health; requiring the department to use the trauma center consultation reports in any assessment of the state trauma

system; amending s. 395.401, F.S.; restricting trauma service fees to \$15,000 until July 1, 2015; amending s. 395.402, F.S.; deleting factors to be considered by the department in conducting an assessment of the trauma system; assigning Collier County to trauma service area 15 rather than area 17; amending s. 395.4025, F.S.; requiring a trauma center to post its trauma activation fee in the trauma center and on its website; creating s. 456.47, F.S.; defining terms; providing for certain practice standards for telehealth providers; providing for the maintenance and confidentiality of medical records; requiring the registration of health care professionals not licensed in this state to use telehealth to deliver health care services; providing registration requirements; prohibiting registrants from opening an office or providing in-person health care services in this state; requiring a registrant to notify the appropriate board or the department of certain actions against the registrant's professional license; prohibiting a health care professional with a revoked license from being registered as a telehealth provider; providing exemptions to the registration requirement; providing rulemaking authority; amending s. 408.036, F.S.; providing an exemption from certificate-of-need requirements for the relocation of a specified percentage of acute care hospital beds from a licensed hospital to another location; requiring certain information to be included in a request for exemption; amending s. 381.026, F.S.; including independent nurse practitioners within the definition of "health care provider"; amending s. 382.008, F.S.; authorizing independent nurse practitioners to certify causes of death and to sign, correct, and file death certificates; amending s. 394.463, F.S.; authorizing an independent nurse practitioner to execute a certificate to require, under the Baker Act, an involuntary examination of a person; authorizing a qualified independent nurse practitioner to examine a person at a receiving facility and approve the release of a person at the receiving facility under the Baker Act; amending s. 456.048, F.S.; requiring independent nurse practitioners to maintain medical malpractice insurance or provide proof of financial responsibility; exempting independent nurse practitioners from such requirements under certain circumstances; amending s. 456.44, F.S.; providing certain requirements for independent nurse practitioners who prescribe controlled substances for the treatment of chronic nonmalignant pain; amending s. 464.003, F.S.; revising the definition of the term "advanced or specialized nursing practice" to require a joint committee to establish an exclusionary formulary of controlled substances; defining the term "independent nurse practitioner"; amending s. 464.012, F.S.; authorizing advanced registered nurse practitioners to perform certain acts as they relate to controlled substances; providing limitations; amending s. 464.0125, F.S., providing for the registration of qualified advanced registered nurse practitioners as independent nurse practitioners; authorizing registered independent nurse practitioners to perform certain acts; requiring advanced registered nurse practitioners registered as independent nurse practitioners to include their registered status on their practitioner profiles; requiring independent nurse practitioners to complete a certain amount of continuing education in pharmacology for biennial renewal of registration; aligning the biennial renewal cycle period for registration for independent nurse practitioners with the advanced registered nurse practitioner licensure renewal cycle; authorizing the Board of Nursing to establish fees by rule; providing the board with rulemaking authority; amending s. 464.015, F.S.; providing title protection for independent nurse practitioners; creating s. 464.0155, F.S., requiring independent nurse practitioners to report adverse incidents to the Board of Nursing in a certain manner; defining the term "adverse incident"; providing for board review of the adverse incident; authorizing the board to take disciplinary action for adverse incidents; amending s. 464.018, F.S.; adding certain acts to an existing list of acts for which nurses may be administratively disciplined; amending s. 893.02, F.S.; redefining the term "practitioner" to include independent nurse practitioners; amending s. 960.28, F.S.; conforming a cross-reference; amending s. 288.901, F.S.; requiring Enterprise Florida, Inc., to collaborate with the Department of Economic Opportunity to market this state as a health care destination; amending s. 288.923, F.S.; directing the Division of Tourism Marketing to include the promotion of medical tourism in its marketing plan; creating s. 288.924, F.S.; requiring the medical tourism plan to promote national and international awareness of the qualifications,

scope of services, and specialized expertise of health care providers in this state and to include an initiative to showcase qualified health care providers; requiring a specified amount of funds appropriated to the Florida Tourism Industry Marketing Corporation to be allocated for the medical tourism marketing plan; requiring the Florida Tourism Industry Marketing Corporation to create a matching grant program; specifying criteria for the grant program; requiring that a specified amount of funds appropriated to the Florida Tourism Industry Marketing Corporation be allocated for the grant program; amending s. 456.072, F.S.; providing additional grounds for discipline of a licensee of the department by a regulatory board; requiring the suspension and fining of an independent nurse practitioner for prescribing or dispensing a controlled substance in a certain manner; amending s. 893.055, F.S.; revising definitions; revising provisions relating to the database of controlled substance dispensing information; revising program funding requirements; requiring a prescriber to access and view certain patient information in the database before initially prescribing a controlled substance; providing requirements related to the release of identifying information; providing requirements for the release of information shared with a state attorney in response to a discovery demand; providing procedures for the release of information to a law enforcement agency during an active investigation; requiring the department to enter into a user agreement with a law enforcement agency requesting the release of information; providing requirements for the user agreement; requiring a law enforcement agency under a user agreement to conduct annual audits; providing for the restriction, suspension, or termination of a user agreement; revising information retention requirements; revising provisions required in a contract with a direct-support organization; requiring the state to use certain properties and funds to support the program; providing for the adoption of specific rules by the department; amending s. 893.0551, F.S.; conforming references; amending s. 154.11, F.S.; authorizing a public health trust to execute contracts and other instruments with certain organizations without prior approval by the governing body of the county; providing an appropriation to the Department of Health to fund the administration of the prescription drug monitoring program; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Cosponsors

HB 25—Combee

Reports of Standing Committees and Subcommittees

Received April 17:

The Regulatory Affairs Committee reported the following favorably:
CS/CS/HB 593 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/CS/HB 593 was laid on the table.

Received April 18:

The Health & Human Services Committee reported the following favorably:
CS/HB 7113 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 7113 was laid on the table.

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